

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**SOUTHERN DIVISION**

**U.S.A. vs. Albert Thomas Clark**

**Docket No. 7:91-CR-49-1**

**Petition for Action on Supervised Release**

COMES NOW Pamela O. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Albert Thomas Clark, who, upon an earlier plea of guilty to Possession of a Firearm by a Felon, 18 U.S.C. § 922(g) and Possession of a Stolen Firearm, 18 U.S.C. § 922 (j), was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on May 22, 1992, to the custody of the Bureau of Prisons for a term of 235 months in count 1 and 120 months in count 2, to run concurrently. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall participate in a vocational rehabilitation training program as directed by the probation office.

Albert Thomas Clark was released from custody on October 24, 2008, at which time the term of supervised release commenced.

On May 18, 2010, the court was apprised the offender had used marijuana. The court modified his conditions to include a 2 day sanction plus the DROPS condition.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On November 21, 2010, during an unannounced home visit, approximately 9:00 pm on a Sunday night, the offender was standing outside his apartment, intoxicated. The offender was upset with his brother, who lives in the apartment below him, and was going to confront him about knocking on his ceiling when I arrived. Upon questioning the offender about his drinking, he

admitted to drinking about 6 beers with friends that day at his residence. Upon entering the residence, the odor of alcoholic beverages was detected and it was observed there were three other individuals consuming beers. The offender was told to stop consuming alcoholic beverages and his friends were told to go home.

Over the past few months the probation office has received several phone calls from the offender's brother advising the offender was abusing alcohol and frequenting bars. Based on the offenders history of alcohol abuse and evidence that the instant offense occurred while Clark was under the influence of alcohol, this officer believes his continued use of alcohol could lead to serious problems. Therefore, it is requested the offenders conditions of supervision be modified to include an alcohol abstinence condition.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pamela O. Thornton  
Pamela O. Thornton  
Senior U.S. Probation Officer  
2 Princess Street, Suite 308  
Wilmington, NC 28401-3958  
Phone: (910) 815-4857  
Executed On: December 6, 2010

**Albert Thomas Clark**  
**Docket No. 7:91-CR-49-1**  
**Petition For Action**  
**Page 3**

**ORDER OF COURT**

Considered and ordered this 8<sup>th</sup> day of December, 2010, and ordered filed and made a part of the records in the above case.

A handwritten signature in dark ink, appearing to read "W. Earl Britt", is written over a horizontal line.

W. Earl Britt  
Senior U.S. District Judge